

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:07CV17-MU-02

ANDRE LAMAR WOODY,)
Petitioner,)
)
v.)
)
A. HATHAWAY, Supt.,)
Respondent.)
_____)

O R D E R

THIS MATTER is before the Court on the petitioner's "Motion For Reconsideration Pursuant To Fed. Rule Civ. P. 35(A) (1) (2) - (B) (1) (2) (3) (C) (D)", filed February 20, 2007. For the reasons stated herein, the subject Motion will be denied.

According to the record, on January 9, 2007, the petitioner filed a Petition for Writ of Habeas Corpus, seeking to vacate certain convictions which he sustained in 2000. By an Order filed February 9, 2007, this Court dismissed that Petition as time-barred under the Antiterrorism and Effective Death Penalty Act of 1996.

By the instant Motion for Reconsideration, the does not even attempt to argue that the Court erred in its determination that his Petition was time-barred. Rather, the petitioner's Motion essentially sets forth his beliefs that his habeas claims are valid and entitle him to relief.

However, inasmuch as such representation does not overcome the Court's decision regarding the issue of timeliness and, in any

event, Rule 35 is not relevant here, this Motion must be denied.

SO ORDERED.

Signed: October 9, 2007



Graham C. Mullen
United States District Judge

